



# Town of Groton, Connecticut

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk 860-441-6640  
Town Manager  
860-441-6630

## Meeting Minutes

### Town Council

**Mayor Rita M. Schmidt, Councilors Genevieve Cerf, Joe de la Cruz, Bruce S. Flax, Bob Frink, Rich Moravsik, Deborah L. Peruzzotti, Heather Bond Somers and Harry A. Watson**

**Tuesday, May 20, 2014**

**7:30 PM**

**Town Hall Annex - Community Room 1**

#### REGULAR MEETING

#### **I. ROLL CALL**

*The meeting was called to order at 7:30 p.m. by Mayor Schmidt.*

Members Present: Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik and Councilor Watson

Members Absent: Councilor Peruzzotti and Councilor Somers

*Also present were Town Manager Mark Oefinger, Town Clerk Betsy Moukawsher and Office Assistant Lori Watrous.*

#### **II. SALUTE TO THE FLAG**

*The Salute to the Flag was led by Betty Smith.*

#### **III. RECOGNITION, AWARDS & MEMORIALS**

##### **2014-0138 Proclamation Honoring Officer Vernal Taylor III**

**Read**

*The proclamation was read by Councilor Flax.*

#### **IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS**

*Fred Kent, 22 Burrows Street, GLP, stated that an alternative location should be sought for the public garden. He noted that the Noank School property is 6.19 acres. If ten new homes were built on the property, the tax revenue would be \$500,000 over five years. The potential sale price of the property plus the tax revenue for a five year period would add up to \$2.5 million. Mr. Kent asked the Council to evaluate the financial impact to the Town before making its decision to allow a public garden on the site.*

*Betty Smith, 255 Neptune Drive, noted that the Noank School property is zoned residential and utilities are already available in that area. She noted that the purchase price would be approximately \$2 million if the Town were to sell the property. The proceeds from the sale along with the additional tax revenue would reduce the overall tax burden. She urged the Council to consider alternative sites for the garden and take advantage of the significant revenue potential of the property.*

*Rosanne Kotowski, 24 Ann Avenue, Mystic, stated that voters in other towns have a say in how tax money is spent. Preston has a referendum with separate votes on Town Operations, CIPs, and Education. She remarked that a Charter Revision is in order to establish a budget referendum and set term limits for elected and appointed officials. Ms. Kotowski remarked that she is disappointed in the FYE 2015 budget.*

*Anna Sullivan, 81 Flanders Road, Mystic, registered her support for the reappointment of Mariellen French to the Zoning Commission. She stated that Ms. French is dedicated and that she was instrumental in the establishment of regulations to safeguard Long Island Sound.*

#### **V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS**

*Mr. Kent and Ms. Smith were thanked for compiling the financial statistics they shared regarding the Noank School property.*

*In answer to Councilor Cerf, Ms. Smith and Councilor Frink both noted that there is no mention in the Noank School property deed of any restrictions.*

## **VI. CONSENT CALENDAR**

### **a. Approval of Minutes**

#### **2014-0160 Approval of Minutes (Town Council)**

##### **RESOLUTION ACCEPTING TOWN COUNCIL MINUTES**

RESOLVED, that the minutes of the Town Council meetings of March 27, 2014 and May 6, 2014 are hereby accepted and approved.

**This Matter was Adopted on the Consent Calendar.**

### **b. Deletions from the Town Council Referral List**

#### **2013-0066 Regulations for Parks and Recreation Facilities**

**This Matter was Deleted from Referral List - No further action on the Consent Calendar.**

#### **2013-0125 City of Groton FYE 2014 Highway Budget - Request for Mediation**

**This Matter was Deleted from Referral List - No further action on the Consent Calendar.**

#### **2014-0113 Request for Number of Town Employees in Each Department by Calendar Quarter**

**This Matter was Deleted from Referral List - No further action on the Consent Calendar.**

#### **2014-0135 Crystal Lake Road Reconstruction - Update**

**This Matter was Deleted from Referral List - No further action on the Consent Calendar.**

#### **2014-0139 Statement of Support for the Guard and Reserve (ESGR)**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

#### **2014-0141 Tour of Fitch Middle School and William Seely School**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

#### **2014-0146 John Kelley Memorial Statue - Update**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

#### **2014-0148 Reappointment of Ranjna Bindra to Library Board**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

#### **2014-0149 Appointment of Deborah Monteiro as an Alternate to the Board of Assessment Appeals**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

#### **2014-0150 Reappointment of Eunice Sutphen to Inland Wetlands Agency**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

#### **2014-0151 Reappointment of Richard Wood to Shellfish Commission**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

#### **2014-0152 Appointment of Barbara Tarbox as an Alternate to the Planning Commission**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

#### **2014-0154 Noank School - D'Agostino Proposal**

**This Matter was Deleted from Referral List - No further action on the Consent Calendar.**

#### **2014-0158 Noank School - Public Garden Proposal Presentation**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

**2014-0161      Resolution Setting a Public Hearing Date on Neighborhood Assistance Act Program Applications**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

**Passed The Consent Calendar**

**A motion was made by Councilor Flax, seconded by Councilor Moravsik, to adopt the Consent Calendar, including all the preceding items marked as having been adopted on the Consent Calendar. The motion carried unanimously**

**VII.      COMMUNICATIONS & REPORTS (Other than Committee Reports)**

**a. Town Councilors**

*Councilors received communications regarding the Noank School property; the reappointment of Mariellen French to the Zoning Commission; a Historic District Commission reappointment; meetings being compliant with Freedom of Information; and an update on the Mystic Streetscape.*

*Councilors toured Fitch Middle and William Seely Schools, and attended a joint meeting with the City of Groton regarding the police study.*

*Councilor Frink, Councilor Moravsik, and Mayor Schmidt attended Council of Governments meetings.*

*Councilor de la Cruz stated that Memorial Monument has contacted Hillery Company to open a 100-year old time capsule.*

*Councilor Frink met with the Town Manager to discuss a review of zoning regulations from the applicant's point of view.*

*Councilor Moravsik attended a City Highway Budget Committee meeting.*

*Councilor Watson announced the grand re-opening of the Zbierski House at Eastern Point Beach on May 31, 2014.*

*Councilor Cerf attended the School Facilities Initiative Task Force meetings and an Eastern Connecticut Chamber of Commerce meeting on fiscal sustainability.*

*Mayor Schmidt attended two Thames River Heritage Park meetings and the retirement party for Officer Vernal Taylor III. The next Senior Center Bootcamp Boomer function on making your own brew will be held June 10, 2014.*

**b. Clerk of the Representative Town Meeting**

*The Town Clerk announced that the RTM has concluded its budget deliberations. The next regular RTM meeting will be held June 11, 2014, at the Senior Center.*

**c. Clerk of the Council**

*The Town Clerk noted that the Groton Rotary has not been invited to sell concession items at Mystic Schooners games and is looking for other ways to support the team. Ms. Moukawsher stated that all dogs six months and older must be registered in the month of June.*

**d. Town Manager**

*The Town Manager outlined items that will be included on the next Committee of the Whole agenda. He announced that the Groton Adolescent Substance Abuse Prevention Coalition (GASP) will sponsor a program on May 28, 2014, at the Groton Public Library. Mr. Oefinger received a letter from Connecticut Light and Power (CL&P) noting its intent to raise rates.*

**VIII.      COMMITTEE REPORTS**

**a. Community Relations - Chairman de la Cruz**

*No meeting, no report.*

**b. Finance - Chairman Frink**

*The Finance Committee met May 20, 2014, at which time it passed a Connecticut Humanities Grant which will be considered later in tonight's agenda. The committee also discussed setting up a meeting with State representatives to discuss education funding and the minimum budget requirement (MBR).*

**c. Personnel & Appointments - Chairman Flax**

*Councilor Flax read the minutes of May 6, 2014, which are on file at the Town Clerk's office.*

**d. Rules - Chairman Frink**

*No meeting, no report.*

**e. Committee of the Whole - Mayor Schmidt**

*The Committee of the Whole discussed the items on tonight's agenda.*

**IX. NEW BUSINESS****2014-0139 Statement of Support for the Guard and Reserve (ESGR)**

RESOLUTION APPROVING A STATEMENT OF SUPPORT FOR THE GUARD AND RESERVE

RESOLVED, that the Groton Town Council approves the following:

STATEMENT OF SUPPORT FOR THE GUARD AND RESERVE

We recognize the Guard and Reserve are essential to the strength of our nation and the well-being of our communities.

In the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession. They train to respond to their community and their country in time of need. They deserve the support of every segment of our society.

If these volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the Guard and Reserve in preserving our national security.

Therefore, we join other employers in pledging that:

- We fully recognize, honor and enforce the Uniformed Services Employment and Reemployment Rights Act (USERRA).
- We will provide our managers and supervisors with the tools they need to effectively manage those employees who serve in the Guard and Reserve.
- We appreciate the values, leadership and unique skills Service members bring to the workforce and will encourage opportunities to employ Guardsmen, Reservists, and Veterans.
- We will continually recognize and support our country's Service members and their families in peace, in crisis, and in war.

**A motion was made by Councilor Cerf, seconded by Councilor Moravsik, that this matter be Adopted.**

**The motion carried unanimously**

**2014-0141 Tour of Fitch Middle School and William Seely School**

RESOLUTION DIRECTING PREPARATION OF A LEASE FOR A PORTION OF FITCH MIDDLE SCHOOL TO PROJECT LEARN

WHEREAS, Project LEARN has expressed a desire to use a portion of Fitch Middle School for

the LEARN Dual Language and Arts Magnet Middle School for a period of one to two years, and

WHEREAS, it is anticipated that the final use of Fitch Middle School will not be determined and necessary funding secured for at least two years, which will allow LEARN to occupy a portion of the building during this time period (School Years 2015 and 2016), now therefore be it

RESOLVED, that the Town Council directs the Town Manager and Town Attorney to work with LEARN to prepare a lease for a portion of Fitch Middle School for Town Council review, and be it further

RESOLVED, that the proposed leasing of a portion of Fitch Middle School to Project LEARN be referred to the Planning Commission under Connecticut General Statutes Section 8-24.

**A motion was made by Councilor Watson, seconded by Councilor Frink, that this matter be Adopted and Referred to the Planning Commission.**

*Councilor Flax stated that he would not want this lease to interfere with the disposition of the William Seely School property.*

*The Town Manager noted that there is no other building that the Town currently owns where the activities that take place at William Seely could be relocated. If it is an overriding concern, the Council may want to reconsider whether to lease this portion of Fitch Middle School.*

**The motion carried unanimously**

#### **2014-0146**

#### **John Kelley Memorial Statue - Update**

#### **RESOLUTION SUPPORTING THE REVISED FINAL DESIGN AND PLACEMENT OF THE JOHN KELLEY MEMORIAL STATUE**

WHEREAS, Mr. James Roy, Chairman of the John Kelley Memorial Fund, is leading an effort to establish a memorial to honor the late John Kelley, a two-time Olympian, Fitch High School teacher, winner of the 1957 Boston Marathon and Groton resident, and

WHEREAS, on November 7, 2012 the Town Council expressed support for locating the John Kelley memorial statue in the parklet at the corner of Route 1 and Bank Street in Mystic pending additional review of the statue's design and approval of the location within the parklet, and

WHEREAS, on February 18, 2014 the Town Council approved the design and placement of the statue in the middle of the parklet, and

WHEREAS, Mr. Roy has, as part of land use permit applications/approvals, proposed a larger-than-life 7'1" tall statue of Mr. Kelley on an 8" base rather than a life-size statue as originally authorized by the Town Council, and

WHEREAS, Mr. Roy has also proposed installation of a boulder with a bronze informational plaque near the stairs leading to the parklet rather than at the base of the statue, and

WHEREAS, Mr. Roy, in a presentation to the Town Council on May 13, 2014, has now proposed that the boulder have a 14" x 24" informational plaque on the front and a second 12" x 24" plaque to list lead donors on the back, now therefore be it

RESOLVED, that the Town Council supports the larger-than-life John Kelley memorial statue, placement of the statue in the middle of the Bank Street parklet, and placement of the boulder/plaque near the parklet's stairs, subject to review and approval of necessary local land use applications.

**A motion was made by Councilor Moravsik, seconded by Councilor Watson, that this matter be Adopted.**

The motion carried unanimously

2014-0158

**Noank School - Public Garden Proposal Presentation**

RESOLUTION DIRECTING PREPARATION OF A LEASE WITH NOANK SCHOOL PUBLIC GARDENS FOR USE OF THE NOANK SCHOOL PROPERTY

WHEREAS, Noank School Public Gardens (NSPG), a non-profit (pending) group that wants to create a park and community gardens on the site of the former Noank Elementary School, and

WHEREAS, NSPG presented their ideas for the property during two presentations to the Town Council in October 2013 and May 2014, and

WHEREAS, NSPG has demonstrated community support for the public gardens concept, now therefore be it

RESOLVED, that the Town Council expresses its desire that the Town of Groton enter into a lease agreement with Noank School Public Gardens to utilize the Noank Elementary School property and hereby directs the Town Manager and Town Attorney, working with NSPG, to identify and develop proposed terms and conditions of the lease, which will be subject to final Town Council approval, and be it further

RESOLVED, that the proposed leasing of the property to NSPG be referred to the Planning Commission under Connecticut General Statutes Section 8-24.

**A motion was made by Councilor Frink, seconded by Councilor Moravsik, that this matter be Adopted as Amended and Referred to the Planning Commission.**

*Councilor Frink stated that the Council discussed preparing a lease, not the authorization of a lease as stated in the title of this resolution.*

*MOTION TO AMEND the title to replace the word "authorized" with "directing preparation of a" was made by Councilor Flax, seconded by Councilor Frink.*

*Councilor de la Cruz believes that the property should be sold.*

*Councilor Flax stated that the Noank School Reuse Task Force looked at selling a number of lots and tearing down the school. He noted that if the potential tax revenue statistics outlined during Citizens Petitions were presented while the task force was reviewing the disposition of the school property, the proposal from the task force may have been different.*

*The Town Manager remarked that the garden would not be started this summer as the oil tank on the property needs to be removed and the school razed.*

*VOTE on Motion to Amend carried 6 In Favor, 1 Opposed. (Opposed: Councilor Frink)*

*Councilor Frink stated that the property is in the middle of a residential area that has utilities and many of those surveyed by the Task Force wanted the property to be used for housing lots.*

**The motion carried by the following vote:**

**Votes:** In Favor: 5 - Mayor Schmidt, Councilor Cerf, Councilor Flax, Councilor Moravsik and Councilor Watson  
Opposed: 2 - Councilor de la Cruz and Councilor Frink

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*The appointments/reappointments on tonight's agenda were moved by Councilor Flax, seconded by Councilor Watson and voted on at the same time. All appointments/reappointments passed unanimously.*

2014-0148

**Reappointment of Ranjna Bindra to Library Board**

**RESOLUTION REAPPOINTING RANJNA BINDRA TO THE LIBRARY BOARD**

RESOLVED, that Ranjna Bindra, 171 Neptune Drive, is hereby reappointed to the Library Board for a term ending 12/31/16.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

**2014-0149****Appointment of Deborah Monteiro as an Alternate to the Board of Assessment Appeals****RESOLUTION APPOINTING DEBORAH B. MONTEIRO AS AN ALTERNATE MEMBER TO THE BOARD OF ASSESSMENT APPEALS**

RESOLVED, that Deborah B. Monteiro, 70 Spyglass Circle, is hereby appointed as an alternate member, from a regular member, of the Board of Assessment Appeals for a term ending 12/31/14.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

**2014-0150****Reappointment of Eunice Sutphen to Inland Wetlands Agency****RESOLUTION REAPPOINTING EUNICE SUTPHEN TO THE INLAND WETLANDS AGENCY**

RESOLVED, that Eunice Sutphen, 120 Cedar Road, Mystic is hereby reappointed to the Inland Wetlands Agency for a term expiring 12/31/15.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

**2014-0151****Reappointment of Richard Wood to Shellfish Commission****RESOLUTION REAPPOINTING RICHARD WOOD TO THE SHELLFISH COMMISSION**

RESOLVED, that Richard Wood, 150 Dogwood Lane, Mystic is hereby reappointed to the Shellfish Commission for a term expiring 12/31/18.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

**2014-0152****Appointment of Barbara Tarbox as an Alternate to the Planning Commission****RESOLUTION APPOINTING BARBARA TARBOX AS AN ALTERNATE MEMBER TO THE PLANNING COMMISSION**

RESOLVED, that Barbara Tarbox, 74 Algonquin Drive, Mystic is hereby appointed as an alternate member to the Planning Commission for a term expiring 12/31/16.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

**2014-0161****Resolution Setting a Public Hearing Date on Neighborhood Assistance Act Program Applications****RESOLUTION SETTING A PUBLIC HEARING DATE ON NEIGHBORHOOD ASSISTANCE ACT PROGRAM APPLICATIONS**

WHEREAS, the State of Connecticut provides tax credits to businesses that make cash investments in qualifying community programs conducted by tax exempt or municipal agencies, and

WHEREAS, the Town must conduct a public hearing and submit all approved program applications to the State Department of Revenue Services by July 1st, and

WHEREAS, a number of non-profit organizations have expressed an interest in potentially participating in the program, but have not yet provided applications to the Town, now therefore be

it

RESOLVED, that the Town Council will hold a public hearing on any applications received under the Connecticut Neighborhood Assistance Act on Tuesday, June 17, 2014 at 7:30 p.m. at the Town Hall Annex, Community Room 1.

**A motion was made by Councilor Watson, seconded by Councilor Moravsik, that this matter be Adopted.**

**The motion carried unanimously**

**2014-0140**

**Connecticut Humanities Grant**

RESOLUTION AUTHORIZING THE TOWN MANAGER OR HIS DESIGNEE TO SEEK GRANT FUNDING FROM CONNECTICUT HUMANITIES TO FUND AN ORAL HISTORY PROJECT TO COINCIDE WITH THE GROTON PUBLIC LIBRARY'S SMITHSONIAN EXHIBIT, THE WAY WE WORKED

WHEREAS, Electric Boat is demolishing its Nuclear Engineering Building and the time is opportune to capture the stories of the engineers and draftsmen who worked there during the Cold War era and,

WHEREAS, Barb Nagy, a freelance writer based in Groton, who has experience with oral history projects and the defense industry, has volunteered to undertake this project on behalf of the Groton Public Library and,

WHEREAS, Connecticut Humanities has grant funds available for programs that explore themes related to work, therefore be it

RESOLVED, that the Groton Town Council hereby authorizes the Town Manager or his designee to seek grant funding in the amount of \$1,500 from Connecticut Humanities which will be utilized by the Groton Public Library to pay for transcriptions and printing costs related to "Full Speed into the Nuclear Age: An EB Oral History."

**A motion was made by Councilor Frink, seconded by Councilor Moravsik, that this matter be Adopted.**

**The motion carried unanimously**

**X. OTHER BUSINESS**

*The Town Manager noted that a request for a crosswalk on all four sides of the intersection of Route 1 and Allyn Street has been sent to the State. He will check on the status of the request.*

*Councilor Flax asked that a file cabinet be placed in the Council Chamber room to be used for storing copies of studies and reports that Councilors may need for their deliberations.*

*Councilor Frink suggested that Councilors personally look at the extensive damage to Crystal Lake Road.*

*Councilor Cerf requested a referral to update the Council regarding a law suit against the Town by a female police officer. This referral will be discussed under a standing referral for pending litigation.*

**2014-0173**

**Report on Town Attorney Caseload**

REPORT ON TOWN ATTORNEY CASELOAD

*Councilor Cerf requested a referral to update the Council on the Town Attorney's caseload.*

**XI. ADJOURNMENT**

*A motion to adjourn at 9:04 p.m. was made by Councilor Watson, seconded by Councilor de la Cruz and so voted unanimously.*



*Attest:*

*Betsy Moukawsher, Town Clerk  
Clerk of the Council*

*Lori Watrous, Office Assistant*